. No. 4759

HOUSE

The Commonwealth of Massachusetts

By Mr. Murphy of Burlington, for the committee on Ways and Means, on House, No
4669, reported, in part, a Bill making appropriations for the fiscal year 2010 to provide for
supplementing certain existing appropriations and for certain other activities and projects
(House, No. 4759). June 14, 2010.

FORM THE COMMITTEE:

NAME: DISTRICT/ADDRESS: Charles Murphy 21st Middlesex

The Commonwealth of Alassachusetts

In the Year Two Thousand and Ten

An Act MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2010 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1	To provide for supplementing certain items in the general appropriation act and
2 0	other appropriation acts for fiscal year 2010, the sums set forth in section 2 are hereby appropriated from the
3 (General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the
4 s	several purposes and subject to the conditions specified in this act or in those appropriation acts, and subjec
5 t	to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums
6 s	shall be in addition to any amounts previously appropriated and made available for the purposes of those
7 i	tems.
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9	SECTION 2.
10	JUDICIARY
11	Commission on Judicial Conduct
12	0321-0001
13	Committee for Public Counsel Services
14	0321-1510
15	TREASURER AND RECEIVER-GENERAL

16		Office of the Treasurer and Receiver-General	
17	0612-0105		\$300,000
18			
19		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
20		Office of the Secretary of Administration and Finance	
21	1599-1702		\$2,700,000
22	1599-3234		\$1,179
23	1599-3384		\$2,000,000
24			
25		Group Insurance Commission	
26	1108-5200		\$15,194,266
27		Division of Administrative Law Appeals	
28	1110-1000		\$54,000
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30		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	;
31		Department of Conservation and Recreation	
32	2800-0501		\$275
33	2810-0100		\$1,238
34	2820-2000		\$275,843
35	2840-7014		\$522
36			
37		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
38		Department of Transitional Assistance	
39	4403-2000		\$5,322,966
40	4405-2000		\$737,342
41		Division of Medical Assistance	
42	4000-0500		. \$143,571,795

43	4000-0700		\$18,900,000
44		Division of Health Care Finance and Policy	
45	4100-0060		\$429
46		Soldiers' Home in Massachusetts	
47	4180-0100		\$400
48		Department of Public Health	
49	4510-0100		\$289
50	4510-0600		\$718
51	4512-0103		\$427
52	4516-1000		\$412
53			
54		EXECUTIVE OFFICE OF PUBLIC SAFETY	
55		Department of State Police	
56	8100-0000		\$21,569
57		Department of Fire Services	
58	8324-0000		\$6,500
59		Massachusetts Emergency Management Agency	
60	8800-0000		\$575,000
61		Bristol Sheriff's Department	
62	8910-8300		\$600,000
63		Norfolk Sheriff's Department	
64	8910-8600		\$100,000
65		Plymouth Sheriff's Department	
66	8910-8700		\$1,404,680
67		Suffolk Sheriff's Department	
68	8910-8800		\$2,750,000
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SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

benefits for the confidential employees in accordance with the collective bargaining

1599-4303 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the

1599-4305 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Barnstable county sheriff's department and the International Brotherhood of Correctional Officers, Local 217, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for

1599-4308 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Berkshire county sheriff's department and the International Brotherhood of Correctional Officers/AFL-CIO, Local RI-297, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which

otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means \$232

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1599-4309 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Berkshire county sheriff's department and the Berkshire County Sheriff's Office Employees Association, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance

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1599-4316 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampden county sheriff's department and the Hampden County National Correctional Employees Union, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and

1599-4317 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampden county sheriff's department and the Non-Uniformed Correctional Officers Association, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided

1599-4334 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Suffolk county sheriff's department and the American Federation of State, County and Municipal Employees/AFL-CIO, Council 93, Locals 3643/3967, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to

1599-4335 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Suffolk county sheriff's department and the American Federation of State, County and Municipal Employees/AFL-CIO, Council 93, Local RN, and to meet the fiscal year 2010 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in

285		accordance with a transfer plan which shall be filed in advance with the house and	
286		senate committees on ways and means	\$18
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288	1599-4336	For a reserve to meet the fiscal year 2011 costs of salary adjustments and other	
289		economic benefits authorized by the collective bargaining agreement between the	
290		Worcester county sheriff's department and the New England Police Benevolent	
291		Association/AFL-CIO, Local 275, and to meet the fiscal year 2011 costs of salary	
292		adjustments and other economic benefits necessary to provide equal adjustments and	
293		benefits to employees employed in confidential positions which otherwise would be	
294		covered by this agreement; provided, that the personnel administrator, with the	
295		approval of the secretary of administration and finance, shall determine these	
296		adjustments and benefits for the confidential employees in accordance with the	
297		collective bargaining agreement then in effect which otherwise would cover these	
298		positions; provided further, that the secretary may transfer from the sum appropriated	
299		in this item to other items of appropriation and allocations thereof for fiscal year	
300		2011 amounts that are necessary to meet these costs where the amounts otherwise	
301		available are insufficient for the purpose, in accordance with a transfer plan which	
302		shall be filed in advance with the house and senate committees on ways and means;	
303		and provided further, that any unexpended funds in this item shall not revert but shall	
304		remain available for expenditure until June 30, 2011\$2	7,121
305			
306	1599-4337	For a reserve to meet the fiscal year 2010 costs of salary adjustments and other	
307		economic benefits authorized by the collective bargaining agreement between the	
308		Worcester county sheriff's department and the Corrections Officers New England	
309		Police Benevolent Association, Local 550, and to meet the fiscal year 2011 costs of	
310		salary adjustments and other economic benefits necessary to provide equal	

adjustments and benefits to employees employed in confidential positions which

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otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds in this item shall not revert but shall be made available for the purposes of this item until June 30,

1599-4339 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Essex county sheriff's department and the International Brotherhood of Correctional Officers, Local RI-71, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance

1599-4348 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Worcester county sheriff's department and the New England Police Benevolent Association, Local 275, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the

1599-4349 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Worcester county sheriff's department and the United Auto Workers, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds in

392	this item shall not revert but shall be made available for the purposes of this item
393	until June 30, 2011\$35,582
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395	SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations
396	in the general appropriation act and other appropriation acts for fiscal year 2010, to provide for certain
397	unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for
398	current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sums
399	set forth in this section are hereby authorized from the Intragovernmental Service Fund for the several
400	purposes specified in this section or in the appropriation acts, and subject to the provisions of law
401	regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums shall be
402	in addition to any amounts previously authorized and made available for the purposes of those items.
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404	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
405	Office of the Secretary of Energy and Environmental Affairs
406	2030-1004
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SECTION 2D. To provide for supplementing certain federal grant authorizations in the general appropriation act and other appropriation acts for fiscal year 2010, to provide for certain unanticipated federal grant authorizations, to provide for an alteration of purpose for current federal grant authorizations, and to meet certain requirements of law, the sums set forth in this section are hereby authorized from the General Federal Grants Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items.

4	18	4510-0404 \$2,636
4	19	4510-0639 \$254
4:	20	4512-0102 \$128
4:	21	4512-0179\$140
43	22	4513-9018 \$266
43	23	4513-9035 \$156
4:	24	4513-0115
	25 26	4516-1021 \$1,810
42	27	SECTION 3. Item 1599-1004 of section 2 of chapter 182 of the acts of 2008 is amended by adding the
4:	28	following words:-; and provided further, that any unexpended funds in this item shall not revert and shall
42	29	be made available for the purposes under this item until June 30, 2011".
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4:	31	SECTION 4. Item 1599-1027 of section 2A of chapter 86 of the acts of 2010 is amended by adding the
4:	32	following words:-; and provided further, that any unexpended funds in this item shall not revert and shall
4:	33	be made available for the purposes under this item until June 30, 2011".
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4.	35	SECTION 5. Section 2A of said chapter 86 is hereby further amended by striking out item 1599-4286
4.	36	and inserting in place thereof the following item:-
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4:	38	1599-4286 For a reserve to meet the fiscal year 2010 costs of salary adjustments and other economic
43	39	benefits authorized by the collective bargaining agreement between the commonwealth and the Berkshire
4	40	Registries of Deeds – Service Employees International Union, Local 888; Essex North/South Registry of
4	41	Deeds – American Association of Federal, State, County and Municipal Employees, Council 653;

SECTION 6. Notwithstanding any general or special law or rule or regulation to the contrary, any unexpended balances, not to exceed a total of \$15,000,000, in items 4000-0600 and 4000-0700 of section 2 of chapter 27 of the acts of 2009, shall not revert to the General Fund until September 1, 2010, and may be used by the executive office of health and human services to pay for services provided during fiscal year 2010.

SECTION 7. Notwithstanding any general or special law to the contrary, the secretary of health and human services, with the written approval of the secretary of administration and finance, may authorize

transfers totaling not more than \$4,000,000 from items 5911-1003, 5920-2000, 5920-2010, 5920-2025, 5920-3000, 5920-3010 of section 2 of chapter 27 of the acts of 2009 to item 5930-1000 of said section 2 for the purpose of reducing any deficiency in said item 5930-1000 of said section 2, but any such transfer shall take place not later than August 31, 2010. Prior to August 31, 2010, the department shall submit a report to the house and senate committee on ways and means detailing: the total reversion from each line item, the cause and impact on services of each reversion, and updated fiscal year 2011 maintenance projections if affected by the reversions.

SECTION 8. Notwithstanding any general or special law to the contrary, the unexpended balances of all capital accounts which otherwise would revert on June 30, 2010, but which are necessary to fund obligations during fiscal year 2011, are hereby re-authorized; but this re-authorization shall terminate upon enactment of capital account extension legislation.

SECTION 9. Notwithstanding any general or special law to the contrary, section 114 of chapter 27 of the acts of 2009 is hereby amended by striking in paragraph (e) the date "October 1, 2009" and inserting in place thereof the following date: "July 31, 2010".

SECTION 10. Notwithstanding any general or special law to the contrary, the comptroller shall transfer, from the General Fund, \$60,000 to the Commonwealth Covenant Fund, established in section 35EE of chapter 10 of the General Laws, to fund the awarding of grants to students meeting eligibility set forth in the General Laws no later than June 30, 2010.